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Note verbale dated 30 July 2002 from the United States Mission to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

The United States Mission to the United Nations presents its compliments to the Chairman of the Committee on Relations with the Host Country and has the honour to reply to the complaint registered by the Permanent Mission of Iraq to the United Nations and circulated as document A/AC.154/353 of 17 July 2002. The Minister for Foreign Affairs of Iraq also wrote to the Secretary-General regarding the same matter on 18 July 2002 (see A/57/222, annex).

The United States Mission never received a request for an entry visa for Sultan Al-Shawi, Riadh Al-Adhami or any other Iraqi official to attend the tenth session of the Preparatory Commission for the International Criminal Court, held at United Nations Headquarters from 1 to 12 July 2002. The United States Mission did receive visa requests for Sultan A. Mahmoud, Riadh Hashim Al-Adhami and Hamadi Asi Al-Falahi to attend the ninth session of the Preparatory Commission in April of 2002. The United States Mission received requests in favour of the first two individuals on 20 March 2002; the request in favour of Mr. Al-Falahi was received at the United States Mission on 28 March 2002. Official G-2 visas valid for entry until 14 July 2002 were issued to Ambassador Mahmoud and Mr. Al-Adhami in Amman, Jordan, on 14 April 2002. Although an official G-2 visa was approved for Mr. Al-Falahi as well, he never picked it up.

The United States Mission first learned of the unfounded allegations made by the Permanent Mission of Iraq with regard to visa requests for Messrs. Al-Shawi, Al-Adhami and Al-Falahi for travel to the tenth session of the Preparatory Commission for the International Criminal Court through media reports on the final day of the session. As the Legal Counsel and the members of the Committee on Relations with the Host Country are aware, the host country takes all its obligations to the United Nations community, including its obligations with regard to transit to the United Nations, extremely seriously. Moreover, officers of both the United States Mission and the Permanent Mission of Iraq are in constant contact at the working level with regard to visa requests and visa issuance. Had the requests for visas to allow Messrs. Al-Shawi, Al-Adhami and Al-Falahi to attend the tenth session been sent as alleged, it is expected that the visas would have been processed in a timely manner. Had the Permanent Mission of Iraq been concerned about the

02-50694 (E) 050802

status of any particular request, it would have followed its normal, routine practice and contacted the United States Mission for a status report. Since there was no contact between the two Missions in these cases, serious doubts are raised regarding the validity of the allegations at hand. The United States Mission therefore rejects the allegations of the Permanent Mission of Iraq with regard to the matter in question. At the same time, it confirms its readiness to continue to uphold its obligations to the Organization and its Member States under the applicable treaties and conventions.

The United States Mission requests that this note verbale be circulated as a document of the Committee.